

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2132 of 1989

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DOLARKUMAR V KOTHARI

Versus

COMPETENT AUTHORITY & DEPUTY COLLECTOR (ULC)  
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Appearance:

MR JR NANAVATI for Petitioner

MR VM PANCHOLI, AGP for Respondent No. 1, 2, 3  
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CORAM : MR.JUSTICE M.S.SHAH

Date of Order: 18/08/1999

ORAL ORDER

Something strange has happened in this matter. When the petition came up for hearing on 4.8.1999, both learned AGP Mr Pancholi for the respondents and learned counsel Mr JR Nanavati for the petitioner state that the matter appears to have been decided earlier on 10.7.1996 by His Lordship Hon'ble Mr Justice A.N. Divecha. The learned AGP had also shown a photostat copy of the certified copy sent by the Additional Collector, ULC, Rajkot alongwith his letter dated 4.8.1999. However, the said certified copy did not contain the operative order. So also the computer copy produced by Mr Nanavati did not contain any operative order. Consequently, the office was required to produce the original judgment containing the signature of the learned Judge but no judgment was

available. Both the learned counsel have, therefore, agreed that apart from the other inquiries which may be made, the petition may be treated as pending and this Court may decide the matter accordingly.

Hence, the petition is taken up for final hearing today in view of the request coming from both the learned counsel.

August 18, 1999 (M.S. Shah, J.)

sundar/-